

1 Jeffrey D. Olster  
Nevada Bar No. 8864  
2 [Jeff.Olster@lewisbrisbois.com](mailto:Jeff.Olster@lewisbrisbois.com)  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
3 6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118  
4 Tel: (702) 893-3383  
Fax: (702) 893-3789  
5 *Attorneys for Defendants*  
*PATENAUDE & FELIX APC, RAYMOND A.*  
6 *PATENAUDE, MICHAEL D. KAHN and*  
*ANGIE HONG HOAR*  
7

8 **UNITED STATES DISTRICT C-OURT**  
9 **DISTRICT OF NEVADA**  
10

11 TROY CAPITAL, LLC, a Nevada Limited  
Liability Company,

12 Plaintiff,

13 vs.

14 PATENAUDE & FELIX APC, *et al.*,

15 Defendants.  
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17 PATENAUDE & FELIX APC,

18 Counterclaimant/Third-Party  
Plaintiff

19 vs.  
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21 TROY CAPITAL, LLC, a Nevada Limited  
Liability Company; RANCE WILLEY, an  
Individual, and TROY DUPUIS, an  
22 Individual,

23 Counter-defendant/Third-  
Party Defendants  
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Case No. 2:20-cv-00205-JCM-DJA

**STIPULATION TO EXTEND  
DISPOSITIVE MOTION AND JOINT  
PRETRIAL ORDER DEADLINES**

**(Fifth Request)**

Pursuant to LR IA 6-1, LR 7-1 and LR 26-3, the parties, through their respective counsel, stipulate to extend the dispositive motion and joint pretrial order deadlines by fourteen (14) days. Good cause for this stipulation exists based on the following:

1. Eight motions remain pending before the Court. These pending motions are:
  - a. Plaintiff and Third-Party Defendants' Motion to Dismiss Defendants' Amended Counterclaims and Third Party Complaint (ECF No. 77).
  - b. Plaintiff's Motion for Partial Summary Judgment (ECF No. 92).
  - c. Defendants' Countermotion for Partial Summary Judgment (ECF No. 97).
  - d. Defendants' Emergency Motion to Extend Discovery Plan and Scheduling Order (ECF No. 98).<sup>1</sup>
  - e. Defendants' Motion to Compel Further Discovery Responses from Plaintiff/Counter-Defendant (ECF No. 107).
  - f. Plaintiff's Motion to Compel Defendants' Discovery Responses (ECF No. 110).
  - g. Defendants' Motion to Dismiss due to Insufficient Service of Process for Kristopher Childers (ECF No. 113).
  - h. Defendants' Motion to Dismiss due to Insufficient Service of Process for Ryan Johnson (ECF No. 116).

2. The parties expended substantial resources during the month of January 2022 to complete several percipient and expert witness depositions, and in many cases, the parties are still awaiting the completion of the deposition transcripts. The review and analysis of those transcripts may affect the preparation of, and opposition to, any dispositive motions.

3. To the extent LR 26-3 compliance is required for this stipulation, the parties refer the Court to their Stipulation to Extend Discovery Plan and Scheduling Order (Fourth Request)

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<sup>1</sup> In compliance with LR 26-3, Defendants filed this motion, which also seeks to extend the deadline for filing dispositive motions, more than 21 days before the discovery cut-off and dispositive motion deadlines.

(ECF No. 91 at 4:25 – 9:19) and to Defendants’ Emergency Motion to Extend Discovery Plan and Scheduling Order (ECF No. 98 at 8:1 – 19:19). Additionally, the parties have taken the depositions of the following witnesses: Ryan Cardema (on January 11, 2022), Michael Kahn (January 18, 2022), Ray Patenaude (January 19, 2022), Harvey Moore (January 21, 2022), Michael Bendickson (January 24, 2022), Kris Childers (January 27, 2022), Elizabeth Reveles (January 31, 2022) and Angela Kresila (February 1, 2022). The parties are in the process of scheduling depositions of Plaintiff’s principals, Rance Willey and Troy Dupuis, and continue to meet and confer regarding additional depositions.

4. Based on the foregoing, the parties agree to extend the dispositive motion deadline by fourteen (14) days, from February 18, 2022 to March 4, 2022. Any opposition to dispositive motions shall be filed no later than April 8, 2022, and any reply in support of such motions shall be filed no later than April 29, 2022. The parties also agree to accordingly extend the joint pretrial order deadline from March 18, 2022 to April 4, 2022.

5. This requested extension of time is not sought for delay or any other improper purpose. The parties respectfully submit that the reasons set forth above constitute good cause for the extension.

DATED this 18th day of February, 2022

LEWIS BRISBOIS BISGAARD &  
SMITH LLP

/s/ Jeffrey D. Olster  
Jeffrey D. Olster  
Nevada Bar No. 8864  
6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118  
*Attorneys for Defendants*  
*PATENAUDE & FELIX APC, RAYMOND A.*  
*PATENAUDE, MICHAEL D. KAHN and*  
*ANGIE HONG HOAR*

DATED this 18th day of February, 2022

RELIEF LAWYERS, LLC

/s/ Dale K. Kleven  
Dale K. Kleven  
Nevada Bar No. 7778  
Thomas M. Fronczek  
Nevada Bar, No. 11380  
5550 Painted Mirage Road, Suite 320  
Las Vegas, Nevada 89149  
*Attorneys for Plaintiff/Counterdefendant*  
*TROY CAPITAL, LLC and Third-Party*  
*Defendants RANCE WILLEY and TROY*  
*DUPUIS*

1 DATED this 18<sup>th</sup> day of February, 2022

2 SANTORO WHITMIRE

3 /s/ Jason D. Smith

4 Nicholas J. Santoro  
5 Nevada Bar No. 0532  
6 Jason D. Smith  
7 Nevada Bar No. 9691  
8 10100 W. Charleston Boulevard, Suite 250  
9 Las Vegas, Nevada 89135  
10 *Attorneys for*  
11 *Counterclaimant/Third-Party Plaintiff*  
12 *PATENAUDE & FELIX APC*

DATED this 18<sup>th</sup> day of February, 2022

SIMMONDS & NARITA LLP

/s/ Tomio B. Narita

Tomio B. Narita  
Jeffrey A. Topor  
(Admitted *pro hac vice*)  
44 Montgomery Street, Suite 3010  
San Francisco, California 94104  
*Attorneys for Plaintiff/Counterdefendant*  
*TROY CAPITAL, LLC and Third-Party*  
*Defendants RANCE WILLEY and TROY*  
*DUPUIS*

10 DATED this 18<sup>th</sup> day of February, 2022

11 PATENAUDE & FELIX APC

12 /s/ Joseph DiNoia

13 Joseph DiNoia  
14 Nevada Bar No. 11951  
15 7271 West Charleston Boulevard, Suite 100  
16 Las Vegas, Nevada 89117  
17 *Attorneys for*  
18 *Counterclaimant/Third-Party Plaintiff*  
19 *PATENAUDE & FELIX APC*

20 ORDER

21 IT IS SO ORDERED:

22   
UNITED STATES MAGISTRATE JUDGE

23 DATED: February 22, 2022  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 18<sup>th</sup> day of February, 2022, service of the foregoing **STIPULATION TO EXTEND DISPOSITIVE MOTION AND JOINT PRETRIAL ORDER DEADLINES** was made upon each party in the case who is registered as an electronic case filing user with the Clerk, pursuant to Fed. Rule Civ. P. 5(b)(3), and Local Rule 5-4, as follows:

<i>Attorney</i>	<i>Party</i>	<i>Phone/Fax</i>
Dale K. Kleven Thomas M. Fronczek RELIEF LAWYERS LLC 5550 Painted Mirage Road, Suite 320 Las Vegas, Nevada 89149 Email: <a href="mailto:dale@relieflawyersnv.com">dale@relieflawyersnv.com</a> <a href="mailto:toby@relieflawyersnv.com">toby@relieflawyersnv.com</a>	<i>Attorneys for Plaintiff, Counterdefendant and Third- Party Defendants</i>	P: (702) 589-7520 F: (702) 577-1075
Tomio B. Narita (Admitted <i>pro hac vice</i> ) Jeffrey A. Topor (Admitted <i>pro hac vice</i> ) Travis Campbell (Admitted <i>pro hac vice</i> ) Maggie Cardasis (Admitted <i>pro hac vice</i> ) SIMMONDS & NARITA LLP 44 Montgomery Street, Suite 3010 San Francisco, California 94104 Email: <a href="mailto:tnarita@snllp.com">tnarita@snllp.com</a> <a href="mailto:jtopor@snllp.com">jtopor@snllp.com</a> <a href="mailto:mcardasis@snllp.com">mcardasis@snllp.com</a> <a href="mailto:tcampbell@snllp.com">tcampbell@snllp.com</a>	<i>Attorneys for Plaintiff/Counterdefendant Troy Capital, LLC and Third- Party Defendants Rance Willey and Troy Dupuis</i>	P: (415) 283-1000
Joseph DiNoia PATENAUE & FELIX, A.P.C. 7271 West Charleston Boulevard Suite 100 Las Vegas, Nevada 89117 Email: <a href="mailto:Joseph.DiNoia@pandf.us">Joseph.DiNoia@pandf.us</a>	<i>Attorneys for Counterclaimant and Third- Party Plaintiff Patenaude &amp; Felix APC</i>	P: (702) 952-2031 F: (702) 382-1512
Nicholas J. Santoro Jason D. Smith SANTORO WHITMIRE 10100 W. Charleston Boulevard, Suite 250 Las Vegas, Nevada 89135 Email: <a href="mailto:nsantoro@santoronevada.com">nsantoro@santoronevada.com</a> <a href="mailto:jsmith@santoronevada.com">jsmith@santoronevada.com</a>	<i>Attorneys for Counterclaimant/Third-Party Plaintiff Patenaude &amp; Felix APC</i>	P: (702) 948-8771 F: (702) 948-8773

By /s/ Susan Awe  
An Employee of  
LEWIS BRISBOIS BISGAARD & SMITH LLP